

**SIDE LETTER BETWEEN OCAA AND THE COUNTY OF ORANGE**

In response to the County asking the Orange County Attorney's Association to help the County during these difficult financial times, the parties hereby agree to implement the following cost saving measures that are to be in effect through the remainder of the 2010-11 Fiscal Year, from November 1, 2010 through June 30, 2011:

1. The County will not pay the 2011 Orange County Bar dues for attorneys represented by OCAA. The approximate savings for eliminating the payment of the 2011 bar dues is \$85,575.
2. During the remainder of Calendar Year 2010, each attorney represented by OCAA shall take one mandatory unpaid furlough day or unpaid holiday. Each attorney will be able to select which day to take as an unpaid furlough day or as an unpaid holiday. The unpaid mandatory furlough day selected by the attorney shall be pre-approved by the attorney's supervisor. Part-time attorneys shall take a prorated mandatory unpaid furlough day or unpaid holiday consistent with their part-time schedule.
3. In addition to the mandatory furlough day outlined in Number 2. above, each attorney will be eligible to take additional voluntary furlough days. The voluntary furlough days are to be taken on days that do not interfere with the operational needs of the departments. Each attorney may elect to take any number of voluntary furlough days provided the department approves the additional voluntary furlough days. Each department will make every good faith effort to accommodate each attorney's request for these unpaid voluntary furlough days.
4. It is anticipated that the above-described cost saving measures should generate an approximate savings to the County of \$835,575. Based on this estimate, the required number of mandatory furlough days or unpaid holidays to be taken by the end of Calendar Year 2010 is 489 days. The number of voluntary furlough days or unpaid holidays will be the equivalent of 978 days. The combined total of all unpaid furlough days or unpaid holidays is 1,467 days. If these savings and/or number of unpaid furlough days are not achieved by the end of February 2011, additional mandatory furlough days will be implemented on a department by department basis, based on voluntary furlough days taken in a specific department. Any requirement that additional mandatory furlough days and/or unpaid holidays be taken (in addition to the day described in Number 2 above) prior to June 30, 2011 shall be pro-rated by departments. In no case shall the total number of mandatory or voluntary furlough days, or unpaid holidays exceed 1467 days.
5. If additional mandatory furlough days are needed as described in paragraph 4 above, the County shall (a) meet with OCAA prior to implementing such additional mandatory furlough days, (b) provide OCAA with information regarding the cost savings and number of furlough days which have been achieved prior to February 28, 2011, and (c) discuss with OCAA the required number of additional mandatory furlough days or unpaid holidays in each department in order to meet the projected savings.
6. In the event additional unpaid furlough days or unpaid holidays are necessary as described above, it will be at each attorney's discretion as to timing to take no more than two additional furlough days and/or unpaid holidays in the same manner as described in paragraph 2. These unpaid days will be taken prior to June 30, 2011.
7. It is absolutely and expressly understood by both parties that no attorney will be required, under any circumstance, to take more than 3 mandatory days (24 hours) of unpaid furlough or unpaid holiday and that the terms of this agreement do not extend beyond June 30, 2011.
8. It is absolutely and expressly understood by both parties that OCAA is under no legal obligation to enter into this agreement and that the only motivation behind OCAA entering into this agreement is the continued commitment of OCAA to be a responsible member of the County's community and to help the County deal with the current financial conditions.

COUNTY OF ORANGE

ORANGE COUNTY ATTORNEYS ASSOC.

*Shelley Carlucci for Carl Brown*

*[Signature]*

DATE: 10-20-10